

## **Assembly Bill No. 131**

### **CHAPTER 487**

An act to add and repeal Section 44265.2 of the Education Code, relating to teacher credentialing, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor September 28, 2008. Filed with  
Secretary of State September 28, 2008.]

#### **LEGISLATIVE COUNSEL'S DIGEST**

AB 131, Beall. Teacher credentialing: specialist credential: pupils with autism.

Existing law requires the Commission on Teacher Credentialing, by December 1, 2007, to report to the Legislature and the Governor on the existing process and requirements for obtaining a specialist credential in special education and recommend modifications to enhance and expedite those procedures.

This bill would authorize a local educational agency or school to employ and assign an individual to provide instruction to pupils who are 3 and 4 years of age and who are diagnosed as autistic, as defined, if the individual holds a valid level 1 or clear education specialist credential, is authorized to provide instruction to pupils with autism, and meets specified competence criteria, as determined by the local educational agency or school. The local educational agency or school would be required to maintain on file in its office verification that the individual has met the competence criteria. These provisions would become inoperative on August 31, 2011, and would be repealed on January 1, 2012.

This bill would declare that it is to take effect immediately as an urgency statute.

*The people of the State of California do enact as follows:*

SECTION 1. Section 44265.2 is added to the Education Code, to read:

44265.2. (a) Notwithstanding any other law, a local educational agency or school may employ and assign an individual to provide instruction to pupils who are three and four years of age and who are diagnosed as autistic, as defined by Section 300.8(c)(1) of Title 34 of the Code of Federal Regulations, if the individual holds a valid level 1 or clear education specialist credential, is authorized to provide instruction to pupils with autism, and meets the competence criteria set forth in subdivision (b).

(b) (1) The local educational agency or school shall determine that an individual described in subdivision (a) has satisfied either of the following

competence criteria allowing the individual to provide instruction to pupils who are ages three and four years of age with autism:

(A) He or she has provided full-time instruction for at least one year prior to September 1, 2007, in a special education program that serves pupils who are three and four years of age with autism pursuant to their individualized education programs and received from the local educational agency or school a favorable evaluation or recommendation to teach pupils with autism.

(B) He or she has completed at least three semester units of coursework in the subject of special education, early childhood education at a regionally accredited institution of higher education.

(2) The local educational agency or school shall maintain verification of experience or coursework on file in its office.

(c) This section shall become inoperative on August 31, 2011, and, as of January 1, 2012, is repealed, unless a later enacted statute, that becomes operative on or before January 1, 2012, deletes or extends the dates on which it becomes inoperative and is repealed.

SEC. 2. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order to allow local educational agencies and nonpublic, nonsectarian schools to hire and retain more credentialed special education teachers to provide instruction to pupils with autism at the earliest possible time, it is necessary that this act take effect immediately.